

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



**FISCAL NOTE**

**HB 306 - SB 531**

March 23, 2015

**SUMMARY OF BILL:** Authorizes bail bondsmen to charge a 15 percent fee, rather than a 10 percent fee, to nonresident defendants.

**ESTIMATED FISCAL IMPACT:**

**Other Fiscal Impact –** The bill could result in some defendants not being able to post bail because they cannot afford the 15 percent fee. As a result, the defendant will remain in local custody until the conclusion of their case. This would increase local incarceration costs. However, Fiscal Review staff does not have the necessary information on nonresident defendants and usual bail amounts to reasonably estimate the increase in local incarceration costs.

Assumptions:

- Under current law, a bail bondsman or an agent of an insurance company may charge a defendant a fee up to 10 percent of the face value of the bond for making an appearance bond of a criminal nature for the defendant. The bill would authorized bail bondsmen and agents of insurance companies to charge up to 15 percent of the face value of the bond if the defendant is not a resident of Tennessee.
- As a result of the 50 percent increase in the fee, it is assumed the bill could result in some defendants not being able to pay to post bail. They would have to remain in local custody until the conclusion of their case.
- This would increase local incarceration costs. However, Fiscal Review staff does not have the necessary information on nonresident defendants and usual bail amounts to reasonably estimate the increase in local incarceration costs.

**CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "Jeffrey L. Spalding".

Jeffrey L. Spalding, Executive Director

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